

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

In re:	)	Hon. Charles E. Rendlen III
	)	Case No. 16-20167-705
RICHARD SCOTT STIGALL and	)	
ANDREA LEIGH YOUNGMAN,	)	Hearing Date: May 2, 2019
	)	Hearing Time: 11:00 a.m.
Debtors.	)	Hearing Location: Hannibal

**MOTION TO APPROVE SALE OF REAL ESTATE BY DEBTORS**

**NOTICE TO INTERESTED PARTIES:**

**Any response to the following motion must be filed with the Court within 21 days of the date of this notice. Parties represented by an attorney must file their responses electronically according to the procedures prescribed by Court rules for electronic filing. Pro se parties shall mail filings to the United States Bankruptcy Court, Eastern District of Missouri. Responses shall address the merits of the motion and, if applicable, set out actions to remedy the particular problem. The Court will serve such response electronically on the Trustee, debtor's attorney and all other parties to the case who have registered for electronic filing. Respondent shall serve all parties who are not served electronically.**

**If a response is timely filed, a hearing will be held on a date and time determined indicated above or as otherwise determined by the Court. Notice of such hearing will be provided to all parties in interest. If no response is filed within 21 days, the Court may enter an order without further notice**

COME NOW the debtors, by and through counsel, and, in support of this motion, state to the Court, as follows:

1. Debtors are performing their obligations under their Second Amended Plan (The Plan) (Corrected .pdf Doc. 32), which was filed on 11/11/16 and confirmed by the Court on December 12, 2016 (Doc. 36).
2. Debtors filed this case on June 2, 2016, are in month 34 of their 60-month plan, having thus far paid in \$50,400.56 of their plan base of \$72,852.56. They are current on their monthly plan payments of \$894.08.

3. The plan includes a guarantee of \$11,970.00 to non-priority unsecured creditors, based upon a combination of \$6,970.00 non-exempt equity in property and a \$5,000.00 avoidable preferential pre-petition transfer.

4. Debtor Andrea Youngman is disabled and cannot work or earn income. Her condition was established in Andrea Leigh Youngman v. Missouri Higher Education Loan Authority, et al. Adversary Proceeding No. 17-02001 (E.D. Hannibal 2017).

5. Debtors own residential real estate, which is property of the bankruptcy estate, and located at 21922 State Highway T, Calleo, Missouri 63534, in Macon County. Said property is subject to a lien in favor of Home Point Financial Corporation, assignee of Stonegate Mortgage Corporation, having an estimated unpaid balance of \$130,000 at the time this case was filed. The plan provides in paragraph 3(D) that post-petition payments of \$966.37 per month on this mortgage will be paid directly by debtors.

6. Debtors wish to sell said property for the following reasons:

a. In Debtors' judgment, it is no longer safe for Debtor Andrea Youngman to be left alone in said home, which is in a remote rural location. Her husband, Richard Stigall, has been working from 13 to 18 hours per day at his current job. Due to Andrea's disability, she is subject to falling, which could result in serious injury. In her current remote location, Andrea has no access to OATS, and no neighbors nearby to assist her should she be injured from falling.

b. For the foregoing reasons, Debtor Richard Stigall has accepted a position in Edmond, Oklahoma with PetroPros, where his income will be approximately the same as it is now, but his hours will be fewer. Debtors will live within the

city limits, and Andrea will have access to a city bus line and nearby neighbors, and will be closer to medical professionals. Also, Richard will be home more to help Andrea at home, and housework is becoming increasingly difficult for her, if not impossible.

7. Debtors appear to have had no equity in the property on the date of filing, and no obligation to unsecured creditors attributable to their residential real estate. On the date of filing, the unpaid balance on the mortgage lien against the property was \$130,728.57, according to the creditor's claim filed herein by the current mortgage holder, Home Point Financial Corporation.

8. The confirmation order requires Debtors, during the pendency of this case, to obtain Court approval before disposing of property of the estate

9. Debtors have received an offer of \$169,000 for the purchase of said property from Ronald Lee Stambaugh and Jennyann Stambaugh, and have accepted said offer, subject to the approval of this Court. Debtors are not related to the proposed buyers, and said offer and acceptance were made at arm's length.

10. The sale of said property will not adversely affect Debtors' ability to carry out the terms of their confirmed plan.

WHEREFORE, Debtors pray that this Court enter an Order authorizing them to sell their real estate located at 21922 State Highway T, Calleo, Missouri 63534, to Ronald Lee Stambaugh and Jennyann Stambaugh for a total sale price of \$169,000.00, and for such other orders as the Court shall deem meet and just in the premises.

Date: April 5, 2019

BOUL & ASSOCIATES, P.C.

/s/ Harry D. Boul  
Harry D. Boul, Mo.Bar #23181

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ATTORNEYS FOR DEBTORS  
RICHARD SCOTT STIGALL AND  
ANDREA LEIGH YOUNGMAN

**CERTIFICATE OF SERVICE**

I, Cheryl L. Miller, hereby certify that on this 5<sup>th</sup> day of April, 2019, a copy of the foregoing Notice to Interested Parties and the Motion to Approve Sale of Real Estate by Debtors was served electronically and by regular United States mail to all interested parties, the Trustee, Creditors, and all creditors Agents/Attorneys as listed on the attached list.

April 5, 2019

/s/ Cheryl L. Miller  
Cheryl L. Miller

Label Matrix for local noticing

0865-2

Case 16-20167

Eastern District of Missouri

Hannibal

Fri Apr 5 14:07:22 CDT 2019

111 South Tenth Street

Fourth Floor

St. Louis, MO 63102-1125

Cavalry SPV I LLC

Bass &amp; Associates, P.C.

3936 E. Ft. Lowell Rd, Suite #200

Tucson, AZ 85712-1083

United States of America on Behalf of the De

Andrew and Patricia Wynne  
1903 Boyd Lane  
Columbia, MO 65202-2843Bank of America  
P.O. Box 851001  
Dallas, TX 75285-1001

Bank of America, N.A.

P O Box 982284

El Paso, TX 79998-2284

Blue Shepherd Investments, LLC  
21922 State Highway T  
Callao, MO 63534-3308Capital Management Services  
726 Exchange # 700  
Buffalo, NY 14210-1464(p)CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130-0285Capital One Bank (USA), N.A.  
PO Box 71083  
Charlotte, NC 28272-1083Cavalry SPV I, LLC.  
c/o Bass & Associates, P.C.  
3936 E. Ft. Lowell Rd., Suite #200  
Tucson, AZ 85712-1083Central Bank of Boone County  
P.O. Box 678  
Columbia, MO 65205-0678Chariton Valley Telecom  
1206 N. Missouri Street  
Macon, MO 63552-2150Chase Bank  
Mail Code LA4-5555  
700 Kansas Lane  
Monroe, LA 71203-4774Citicorp  
Bankruptcy Department  
100 Citibank Drive  
San Antonio, TX 78245-3202Discover Bank  
Bankruptcy Department  
P.O.Box 30416  
Salt Lake City, UT 84130-0416Discover Bank  
Discover Products Inc  
PO Box 3025  
New Albany, OH 43054-3025Dish Network  
Bankruptcy Department  
Department 0063  
Palatine, IL 60055-0063Flipping Formula  
Premium Financial Training  
6465 South 3000 East, Ste 201  
Salt Lake City, UT 84121-6974Home Point Financial Corporation  
11511 Luna Road Suite 300  
Farmers Branch, TX 75234-6451LVNV Funding LLC  
c/o Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587MOHELA/Educational Credit Management Corpora  
Educational Credit Management Corp  
PO Box 16408  
St Paul MN 55116-0408Missouri Credit Union  
111 East Broadway  
P.O. Box 1795  
Columbia, MO 65205-1795Missouri Department of Revenue  
PO Box 475  
301 W High St  
Jefferson City MO 65101-1517Monarch Property Management  
111 E Broadway #100  
Columbia, MO 65203-4208Navient  
P.O. Box 9500  
Wilkes Barre, PA 18773-9500(p)ASCENDIUM EDUCATION SOLUTIONS INC  
PO BOX 8961  
MADISON WI 53708-8961Navient Solutions, Inc. on behalf of  
Department of Education Loan Services  
PO BOX 9635  
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P.O. Box 514387  
Los Angeles, CA 90051-4387

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6101 Condor Drive, Suite 200  
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Diana S. Daugherty  
Chapter 13 Trustee  
P. O. Box 430908  
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Richard Scott Stigall  
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Edmond, OK 73012-7119

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Capital One Bank  
Bankruptcy Department  
15000 Capital One  
Richmond, VA 23238

Navient Solutions Inc. on behalf of USA Fund  
Attn: Bankruptcy Litigation Unit E3149  
P.O. Box 9430  
Wilkes-Barre, PA 18773-9430